

TOWNSHIP OF WALL
ORDINANCE NO. 23- 1991

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER II, "ADMINISTRATION," OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, SECTION 2-4.13, "CONDUCT OF EMPLOYEES", PERTAINING TO STANDARDS OF ETHICAL CONDUCT AND FINANCIAL DISCLOSURE.

WHEREAS, the Township of Wall has long recognized the need to establish standards of ethical conduct for municipal officials and employees; and

WHEREAS, since 1960 the Township has included in its Ordinances ethical standards governing the conduct of officers and employees of the Township; and

WHEREAS, the "Local Government Ethics Law", N.J.S.A. 40:23-6.51, effective May 21, 1991, has established uniform ethical standards and financial disclosure requirements pertaining to all local governments in the State of New Jersey; and

WHEREAS, the Township Committee finds that the provisions of the Township's Ordinances pertaining to ethical standards should be amended to reflect those standards set forth in the aforesaid legislation;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wall, in the County of Monmouth and State of New Jersey, as follows:

Section 1. Chapter II, "Administration", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, Section 2-4.13, "Conduct of Employees", be and the same is hereby further amended and supplemented by the deletion therefrom of the aforesaid section and the substitution therefor, of the following:

"2-4.13 ETHICAL STANDARDS AND FINANCIAL DISCLOSURE REQUIREMENTS.

a. Purpose. It is the purpose of this section to provide for clear, consistent, and uniform standards of ethical conduct and financial disclosure requirements for officers and employees of the township, so as to retain the respect and confidence of its citizens in the conduct of municipal business and to implement the provisions of the "Local Government Ethics Law", N.J.S.A. 40:23-6.51, et. seq.

b. Definitions. As used in this section, all terms and phrases shall have the same meaning as defined by N.J.S.A. 40:23-6.51 et. seq.

c. Ethical Standards. All officers and employees of the Township shall comply with the following provisions:

1. No officer or employee of the township or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.

2. No officer or employee of the township shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

3. No officer or employee of the township shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence or judgement.

4. No officer or employee of the township shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice

his independence of judgment in the exercise of his official duties.

5. No officer or employee of the township, a member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the officer in the discharge of his official duties.

6. No officer or employee of the township shall use, or allow to be used, his public office or employment or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business

organization with which he is associated.

7. No officer or employee of the township or business organization in which he has an interest shall represent any person or party other than the township in connection with any cause, proceeding, application or other matter pending before any agency in the township. This provision shall not be deemed to prohibit one township employee from representing another employee where the township is the employer and the representation is within the context of official labor union or similar representational responsibilities.

8. No officer of the township shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of such business, profession, occupation or group.

9. No elected township official shall be prohibited from

making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the official or a member of his immediate family, whether directly or indirectly, in return therefor.

10. Nothing shall prohibit any township officer or employee, or member of his immediate family, from representing himself or themselves, in negotiations or proceedings concerning his, or their, own interests.

d. Financial Disclosure Statements. The following officials and employees of the Township shall annually file a financial disclosure statement, in the form prescribed by the Local Finance Board, which statement shall include all information required to be disclosed by the "Local Government Ethics Law". Initial statements for the year 1990 shall be filed with the Township Clerk and the Local Finance Board on or before August 19, 1991. In each year thereafter, financial disclosure statements shall be filed on or before April 30th in each year for the proceeding year:

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| 1. Members of the Township Committee | 13. The Planning Board |
| 2. The Township Clerk | 14. The Members of Planning Board |
| 3. The Township Administrator | |

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| 4. The Township Attorney | 15. The Board of
Adjustment
Attorney |
| 5. The Township Engineer | |
| 6. The Township Auditor | 16. The Members of
the Board of
Adjustment |
| 7. The Township Planner | 17. The Members of
the Mobile Home
Park
Stabilization
Board |
| 8. The Tax Assessor | 18. The Attorney for
the Mobile Home
Park
Stabilization
Board |
| 9. The Municipal Court Judge | 19. The Construction
Officer |
| 10. The Township Prosecutor | 20. The Land Use
Officer |
| 11. The Chief of Police | 21. The Code
Enforcement
Officer |
| 12. The Captains of the Police Dept. | 22. The
Superintendent
of Public Works |
| | 23. The Members of
the Joint Board
of Fire
Commissioners |
| | 24. The Chief of the
Fire Prevention
Bureau |
| | 25. The Chief
Financial
Officer |

e. Effective Date. This Ordinance shall be effective as to the Ethical Standards contained herein on May 21, 1991, and as to the financial disclosure requirements as of August 19, 1991, for the year 1990."

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall take effect upon its passage and publication according to the law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on *May 29, 1991* and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on *June 12, 1991* at 8 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior

to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk